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November 29, 2021

VIA ECF

Hon. Vernon S. Broderick
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Courtroom 518
New York, New York 10007

Re: *United States v. Moises Lluberres*, 20-cr-493 (VSB)

Dear Judge Broderick:

We write on behalf of our client defendant Moises Lluberres to respectfully request an adjournment of the December 1, 2021 deadline to file pretrial motions (*see* ECF Doc. 109), until 60 days after the Court's decision on Mr. Lluberres' *Monsanto* motion.

As the Court is aware, on February 19, 2021, we first requested release of the \$230,000 derived from Mr. Lluberres' Coinbase account, which is at issue in the *Monsanto* proceedings. (*See* ECF Doc. 43.) At that time, we informed the Court that Mr. Lluberres was otherwise unable to retain our services to continue to represent him as counsel of choice. On February 24, 2021, the government moved to restrain the Coinbase funds as potentially forfeitable assets. (*See* ECF Docs. 44, 45.) After several additional rounds of briefing on behalf of Mr. Lluberres (ECF Docs. 48, 60, 69), responsive briefing by the government (ECF Docs. 57, 70), and two sets of oral arguments before Your Honor on April 7, 2021 and June 9, 2021, this Court held a *Monsanto* hearing on September 13-14, 2021. Post-hearing briefs were filed on October 12, 2021 and October 22, 2021. (*See* ECF Docs. 98, 99, 100, 101.) We remain available for oral argument at the Court's convenience to address any further questions regarding the legal and factual issues necessary to decide the *Monsanto* issues pending before the Court.

In the interim, since we filed the bail modification application on February 19, 2021, the government has produced significant discovery pursuant to Rule 16—including substantial productions just in the last several weeks since filing of our *Monsanto* briefing. These include: (1) a November 24, 2021 production of complete forensic images of Moises Lluberres' cellular telephone, laptop computer, and two flash drives; (2) a November 23, 2021 production of co-defendant Maria Aguilar's cellular telephone, and the responsive portions of Moises Lluberres' two flash drives; (3) a November 18, 2021 production of several hundred pages of records obtained from Espheria LLC; (4) an October 13, 2021 production of responsive emails from Mr. Lluberres' email account, and another email account consisting of over 43,000 emails in total; (5) an October

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4, 2021 production of acquisition documents and RES remittances; (6) three productions from September 10, 2021 of materials from three separate bank accounts, and responsive materials from Moises Lluberes' cellular telephone; (7) two September 8, 2021 productions of Coinbase and bank materials; (8) a September 1, 2021 production of materials obtained from Coinbase; (9) an April 8, 2021 production of MLAT materials from the Dominican Republic; and (10) a February 19, 2021 production including a forensic image of a computer and nearly 3 million pages of emails. Because these voluminous and far-reaching productions could raise a diversity of issues relevant to pretrial motions, including suppression questions, motions regarding the privilege review the government performed on Moises Lluberes' communications, discovery issues, and substantive challenges to the charges in the indictment, among others, should we continue to represent Mr. Lluberes following the Court's *Monsanto* decision, we will require time to thoroughly review this discovery to prepare Mr. Lluberes' pretrial motions.

Accordingly, we respectfully request 60 days following the Court's decision on the *Monsanto* motion to file pretrial motions on behalf of Moises Lluberes.

Respectfully Submitted,

MEISTER SEELIG & FEIN LLP

/s/ IH

Henry E. Mazurek

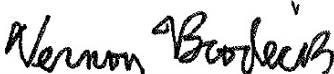
Ilana Haramati

Counsel for Defendant Moises Lluberes

cc: Counsel of Record (*via ECF*)

Application granted in part and denied in part. Moises Lluberes' pretrial motions are due on or before January 7, 2022.

SO ORDERED:



HON. VERNON S. BRODERICK
UNITED STATES DISTRICT JUDGE

11/30/2021